

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

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MARLENE HARRIS, tenant in Linden  
Plaza Apartments,  
Plaintiff,

**ORDER**  
**13-CV-0984 (SLT)(MDG)**

- against -

SHAUN DONOVAN, Secretary of Housing  
and Urban Development, et al.,

Defendants.

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**GO, United States Magistrate Judge:**

By order dated April 18, 2013, this Court granted plaintiff's application to proceed in forma pauperis under 28 U.S.C. § 1915. The Court noted that several of plaintiff's neighbors who also reside at the Linden Plaza Apartments have filed complaints in this district alleging similar claims and seeking essentially the same relief against the same defendants. In fact, there are at least 13 such cases pending in this district<sup>1</sup> before three other district judges and one case that was dismissed for lack of subject matter jurisdiction

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<sup>1</sup> 12-cv-4555(JG)(LB), 12-cv-4901(WFK)(JMA), 13-cv-982(JBW)(LB), 13-cv-2087(JG)(LB), 13-cv-2088(JG)(LB), 13-cv-2089(JG)(LB), 13-cv-2090(JG)(LB), 13-cv-2091(JG)(LB), 13-cv-2092(JG)(LB), 13-cv-2093(JG)(LB), 13-2643(JG)(LB), 13-cv-2643(JG)(LB), 13-c v-2644(JG)(LB), 13-cv-2645(JG)(LB).

by the Honorable William F. Kuntz, II.<sup>2</sup> In many of those cases, the defendants have filed or will be filing shortly motions to dismiss which challenge this court's subject matter jurisdiction. In the April 18th order, I invited plaintiff to amend her complaint to address some of the arguments raised by defendants in the other cases. In response, plaintiff filed an amended complaint that was substantially similar to the original complaint except for her request to "amend [the] complaint to be attached to: 12 CV 4901 - Daniels - vs- Donovan." Amended Complaint at p. 2 (ct. doc. 6).

Since Daniels is one of the cases for which motions to dismiss are fully submitted, service of the Amended Complaint and plaintiff's request to "attach" her Amended Complaint to Daniels is stayed pending determination of the pending motions by Judge Kuntz. While this Court will not reconsider the issue that plaintiff qualifies for in forma pauperis status, this Court may reconsider whether plaintiff's motion should have been granted in light of decisions by Judge Kuntz, Gleeson and Weinstein on the motions to dismiss.

**SO ORDERED.**

\_\_\_\_/s/\_\_\_\_\_  
MARILYN D. GO  
United States Magistrate Judge

Dated: May 31, 2013  
Brooklyn, New York

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<sup>2</sup> See Memorandum and Order dated October 2, 2012 (ct. doc. 4) in Charles v. Donovan, 12-cv-4652.